



UNITED STATES
ATTORNEY'S OFFICE
DISTRICT OF COLUMBIA
**Community
Prosecution**

The Court Report

Covering the Month of
2nd Police District
October 2004

Building Safer Neighborhoods Through Community Partnership

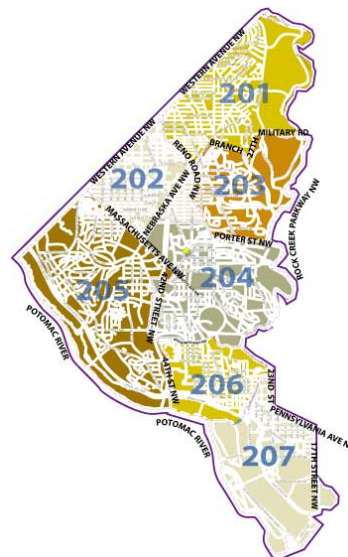
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SUMMARY OF RECENT COURT CASES

- **Daniel Victor Smith**, 44, pled guilty to Second Degree Murder on Friday, October 15, 2004. **Smith** pled guilty in a proceeding presided by D.C. Superior Court Judge John Bayly, Jr. Sentencing scheduled for December 17, 2004.
- **Edward Lee Nelson**, 26 of Alexandria, Virginia, was convicted of first-degree murder and related charges in the death of a GWU graduate student on October 20, 2004. Sentencing scheduled for January 14, 2005 before the Honorable John Bayly, Jr., Superior Court Judge.
- **Walter Barnes**, 46, of Washington, D.C., was sentenced on November 4, 2004 by D.C. Superior Court Judge Wendell P. Gardner to 12 years in prison for burglarizing a Georgetown business.
- **Renee Hallman**, 40, of Lanham, Maryland pled guilty to union embezzlement in connection with her theft of funds from her former employer, the District of Columbia Nurses Association (DCNA) between 2000 and 2001.
- **Daniel Liptak**, 43, formerly of Roanoke, Virginia, pled guilty to Possessing 10 or more Images of Child Pornography, in May of 2001. Liptak pled guilty in a proceeding presided by District Court Judge Emmet G. Sullivan; and faces up to five years in prison and a fine of \$250,000.

A detailed descriptions of these and other cases from the 2nd District are provided inside of this report.

THE 2ND POLICE DISTRICT



Contact Numbers

Homicide & Major Crimes Sections

Teresa Howie, Chief – Major Crimes
202-307-9999
Daniel Zachem Deputy Chief - Homicide
202-514-7469

2D Community Prosecutor

Tim Lucas 202-282-0585

2D Community Outreach Specialist

Stephanie Bragg 202-282-0584

2D Police Station

3320 Idaho Avenue, NW 202-282-0700

2ND DISTRICT COMMUNITY PROSECUTION UPDATE

The Sex Offender Registration Act of 1999 charges the Metropolitan Police Department of the District of Columbia with releasing information to the public on convicted sex offenders, including name and aliases, age, physical characteristics, and the approximate address (street name and block) where the sex offender lives, works, and/or attends school. All this information plus a photograph of Class A and Class B offenders is available on MPD's website. Information and photographs of all registered sex offenders are available at each police station, and at the Sex Offender Registration Unit at 300 Indiana Avenue, N.W. To obtain information on the sex offender registration program, as well as access to the Sex Offender Registry for Class A and Class B sex offenders, MPD's website is <http://mpdc.dc.gov/main.shtm>. When you get to this website, look under Services and click on Sex Offender Registry. The Sex Offender Registry Unit can be contacted by telephone, (202) 727-4407, or by email at sexoffender.registry@dc.gov.

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THE COURT REPORT

Daniel Victor Smith, 44, pled guilty to Second Degree Murder on Friday, October 15, 2004. Smith pled guilty in a proceeding presided by D.C. Superior Court Judge John Bayly, Jr. Smith will be sentenced on December 17, 2004. (Case No. F-4231-03; PSA 204).

According to the government's evidence, Douglas Pettus was discovered inside his apartment in the 2800 block of Wisconsin Avenue, N.W., on January 25, 2002. He was pronounced dead on the scene. The cause of death was determined to be stab wounds of the neck with perforation of the carotid artery. It was later determined that the victim's death followed a violent confrontation with the defendant, a person whom he had met at a coffee shop in the prior weeks. Further investigation revealed the fact that Smith had used the victim's credit cards in various locations after his death. The defendant, Daniel Victor Smith, was later located and questioned.

Smith gave a post-Miranda statement to the authorities. In that statement, he admitted to killing the victim, Douglas Pettus. He stated that they had gotten into a fight and that he broke the victim's neck while they struggled. After breaking the victim's neck, he decided to stab the victim several times and then steal his credit cards to make it look like a robbery. The defendant admitted to using the victim's credit cards on several dates in various locations that were consistent with the credit card records.

Further investigation revealed that Smith had stolen and used the credit cards of other individuals he had befriended during the same general time frame.

In announcing the guilty plea, United States Attorney Kenneth L. Wainstein praised the hard work of Michael Ambrosino and Kenneth Behle of the United States Attorney's Office who investigated the case as well as Detectives Jeffrey Owens and Michael Irving of the Metropolitan Police Department and Special Agent Bradley Garrett of the Federal Bureau of Investigation.

Edward Lee Nelson, 26 of Alexandria, Virginia, was convicted of first-degree murder and related charges in the death of a GWU graduate student on October 20, 2004. Judge John Bayly, Jr. will sentence Nelson on January 14, 2005. (Case No. F-5777-02; PSA 207).

According to the evidence presented at trial, on May 30, 2002, Edward Nellson and a co-conspirator, Stephen Burciaga, 26, of College Park, MD, planned and conspired to rob persons who advertised in the "Adult Services" section of the Washington City Paper. The plan called for Burciaga to be the get-away driver and Nellson to be the one who would commit the robberies. Sometime after midnight, on May 31, 2002, the two men drove to the 2500 block of K Street, N.W., Washington, D.C. While in the 2500 block of K Street, Nellson, armed with a handgun, duct tape, black nylon cable ties and other items, left Burciaga's van to carry out the robbery. Instead of the intended target, Nellson gained entry into the apartment of the victim, Daniel Krug. Mr. Krug was a George Washington University graduate student, who had no connection to the defendants. The defendant went into the apartment while the co-defendant waited outside for him. While inside the apartment, Edward Nellson, bound Daniel Krug's head,

neck, hands, and feet with black nylon cable ties, duct tape, electrical tape, bedding and clothing. Daniel Krug was killed as a result of being bound around his neck — strangulation. The manner of Daniel Krug's death was later determined to be homicide.

After killing the victim, Nellson stole several items, including the victim's laptop computer, credit cards, bank cards, and money. When Nellson left the apartment, he returned to the van where the co-defendant was waiting and the two men returned to College Park, Maryland. Subsequently, Nellson gave the co-conspirator some of the proceeds from the crime. Moreover, on May 31, 2002, the defendant took a cab from the Quality Inn Hotel in College Park to Union Station in Washington, D.C., paying for the cab ride with one of the victim's credit cards. Later, the cab driver identified the defendant as the man who paid for that fare using Krug's credit card. Additionally, in the days following the murder, Nellson withdrew money on several occasions using the victim's credit card. On June 3, 2003, the defendant was arrested in Ocean City, Maryland, on an unrelated theft charge and weapon offense.

At trial, Nellson took the stand and blamed the murder on Burciaga, claiming that Burciaga had set him up for this crime. On May 6, 2004, Burciaga pled guilty to a second degree murder charge in connection with his role in this incident. Burciaga is scheduled to be sentenced on November 12, 2004.

In announcing the verdict, United States Attorney Kenneth L. Wainstein praised the efforts of the following members of the Metropolitan Police Department: Detectives Daniel Whalen and Brian Kasul; Mobile Crime Technicians Keith Slaughter and Dwayne Mitchell, and former MPD Technician Schuyler Lee; Officer Scott Pinto; Alexandria Virginia Police Detective David Hoffmaster; ATF Agent Clare Weber; and Ocean City, Maryland Police Officers Sydney Findley and Albert Custer. Mr. Wainstein also commended Deputy Medical Examiner Dr. Sarah Colvin and FBI DEA Analysts Heather Seubert and Caroline Zervos. Mr. Wainstein additionally commended Victim Witness Advocate Yvonne Bryant and paralegals Wanda Trice, Richard Cheatham and Michael Simmons, legal assistants Agnes Heard and Mary Doster, litigation services specialist Thomas Royal, and interns Ashley Futrell and Stacey Moore. Finally, Mr. Wainstein praised the efforts of Assistant United States Attorney Daniel Butler, who indicted the case, and Assistant United States Attorneys Brittain McInnis and Emory V. Cole, who prosecuted the case.

Walter Barnes, 46, Washington, D.C., was sentenced on November 4, 2004 by D.C. Superior Court Judge Wendell P. Gardner to 12 years in prison for burglarizing Georgetown businesses. (Case No. F1642-04; PSA 206).

On July 30, 2004, Walter Barnes pled guilty to four counts of Second Degree Burglary. One of the burglaries occurred on March 6, 2004 at the Jean Luc Hair Salon located at 3200 P Street, NW. The others occurred on February 4, 2004; March 2, 2004; and March 12, 2004 at the Popper Topper Hat Store. In the last burglary, Second District Metropolitan Police department Officers Jeffrey Cadle and Ydis Zuniga spent the night at the Popper Topper in response to recent burglaries there. At about 1:40 a.m., they observed Walter Barnes break the rear window and enter the store. The officers then arrested Barnes as he walked toward the cash register.

After his guilty pleas, Judge Gardner sentenced Walter Barnes to 3 years of confinement for each of the four counts of Second Degree Burglary.

In announcing the conviction and sentence, United States Attorney Kenneth L. Wainstein commended the Metropolitan Police Department, Officers Cadle and Zuniga, Detectives Neil Jones, Juan Davilla, and Keith Tabron, Paralegal Specialist Shernell Mallory and Assistant United States Attorney John Irving who were all instrumental in the investigation and resolution of this case.

DISTRICT COURT CASES

Renee Hallman, 40, of Lanham, Maryland pled guilty to union embezzlement in connection with her theft of funds from her former employer, the District of Columbia Nurses Association (DCNA) between 2000 and 2001. Hallman pled guilty in a proceeding presided by District Court Judge John D. Bates. Hallman will face up to five years in prison under the statute and a likely sentence of up to six months in prison.

According to the government's evidence, Hallman worked as an administrative assistant, and then as a project specialist, for DCNA, which is located in the 5100 block of Wisconsin Avenue, N.W., Washington, D.C., from 1999 to 2001. Hallman's duties included disbursing the union's mail, making periodic bank deposits, writing union checks, and ensuring that bills were paid. She did not, however, have authority to sign union checks.

Between October 2000 and January 2001, Hallman wrote and forged more than \$5,000 in union checks made payable to herself and to cash, and used the proceeds for personal reasons. She also charged flowers, which she sent to her husband, to DCNA's credit account. Finally, Hallman sought and obtained several pay advances; on one such occasion, she altered the union's bank statements to conceal the fact that she had not repaid the loan.

In announcing the plea, United States Attorney Kenneth L. Wainstein commended the investigative efforts of Senior Investigator Mark Wheeler, Investigator Mark L. Kelley, and Supervisory Investigator Stephen J. Willertz, all of the U.S. Department of Labor Office of Labor-Management Standards. He also commended the work of legal assistant Teesha Tobias, and Assistant United States Attorney Elana Tyrangiel, who prosecuted the case.

Daniel Middleman, of Dubuque, Iowa, was arrested and indicted for sending a threatening e-mail to a national leader of the Arab-American community.

Middleman was arrested October 12, 2004, following his indictment by a federal grand jury in the District of Columbia. The indictment alleges that on May 9, 2003 Middleman sent an e-mail message to the victim that stated "you're all going to get bullets in your . . . heads." The indictment alleges that Middleman communicated the threat because of the victim's race, religion, or national origin and to interfere with his employment.

The crimes charged are punishable by up to six years in prison and a fine. An indictment is merely a formal charge that a defendant has committed a violation of criminal law. All defendants are presumed innocent until and unless proven guilty.

The case was investigated by the Federal Bureau of Investigation and is being prosecuted by attorneys from the Civil Rights Division and the U.S. Attorney's Office for the District of Columbia.

Andrea M. Washington, 49, an insurance agent doing business in the District of Columbia, was sentenced to 24 months and ordered to pay \$32,249.15 in restitution for defrauding customers and insurance company after pleading guilty to wire fraud in a scheme that occurred from January 2002 through February 2003.

According to the government's evidence, from January 2002 through February 2003, Washington engaged in a scheme to defraud her customers and a Maryland insurance company of at least \$102,300. During this period, Washington, acting as a principal agent for the Maryland insurance company, sold more than 90 insurance policies from the company to approximately 80 customers. In each of these sales, Washington utilized the internet to access the website of the insurance company to write an insurance policy for each customer. Although Washington collected insurance premiums from each of her customers and issued binding commitments of insurance from the Maryland insurance company, Washington did not forward the premiums collected to the insurance company. Instead, Washington kept the premiums paid by each customer, and converted those premiums to her own use.

In announcing the sentence, United States Attorney Kenneth L. Wainstein, Assistant Director in Charge Michael A. Mason, and District of Columbia Department of Insurance, Securities, and Banking Commissioner Lawrence H. Mirel commended Special Agent John Cotter and Insurance Fraud Investigator Carl Ditchey for their outstanding work in investigating the case. They also praised Assistant United States Attorney Jonathan R. Barr, who investigated and prosecuted this matter, and Legal Assistants April Peeler and Lisa Robinson who assisted in the investigation and prosecution.

Ericka S. West, 38, of the 4300 block of 8th Street, N.W., Washington, D.C., was sentenced before Judge John Garrett Penn on October 13, 2004, to three years of probation, a period of which is to include six months of home detention, 50 hours of community service, and entry into a drug treatment program. West pled guilty to bribery of a public official.

According to the government's evidence, beginning in or about October 2001 and continuing through in or about December 2003, the defendant was employed as a Parking Enforcement Officer ("PEO") within the Parking Enforcement Branch of the District of Columbia's Department of Public Works ("DPW"). As a PEO, the defendant was responsible for determining whether vehicles were parked illegally on the streets and public roadways of the District of Columbia. The defendant was also responsible for writing and issuing parking tickets by placing the ticket directly on the vehicle or handing it to the operator of the vehicle. Once a

ticket had been issued in the manner described above, it could not be voided, erased or otherwise retracted without appropriate supervisory authorization.

Beginning in or about October 2001 and continuing through in or about December 2003, the defendant, during her assigned tour of duty as a PEO, engaged in a practice of approaching individuals parked illegally in the District of Columbia. She would then offer to either void a previously issued parking ticket or to completely forego issuing a ticket in exchange for a sum of cash or other items of value.

On or about April 9, 2003, in the 400 block of 5th Street, N.W., Washington, D.C., the defendant, while dressed in a PEO uniform, approached a civilian who was standing next to her illegally parked vehicle. The civilian was in the process of retrieving a ticket from her windshield. The ticket reflected a fine of \$100.00. The defendant offered to void the ticket in return for \$30.00 in cash. The civilian responded that she only had \$25.00. The defendant then instructed the civilian to wrap the \$25.00 in the parking ticket and to hand it to her. The defendant accepted the payment from the civilian in the form and manner requested and advised that the ticket would be voided. The civilian subsequently learned that the ticket was not voided.

In announcing the sentence, United States Attorney Kenneth L. Wainstein, Assistant Director Michael A. Mason, and Interim Inspector General Austin A. Andersen praised the investigative work of FBI Special Agent Timothy Tylicki and Special Agent Karen Meunier of the District of Columbia Office of the Inspector General, Investigations Division. They also commended the work of U.S. Attorney's Office Legal Assistants Lisa Robinson and Teesha Tobias, as well as Assistant U.S. Attorney Lisa O. Monaco, who was responsible for the prosecution through the guilty plea, and Assistant U.S. Attorney Daniel P. Butler, who handled the sentencing of this matter.

Daniel Liptak, 43, formerly of Roanoke, Virginia, pled guilty to Possessing 10 or more Images of Child Pornography, in May of 2001. Liptak pled guilty in a proceeding presided by Judge Emmet G. Sullivan. When the defendant faces sentencing on January 26, 2005, he faces up to five years in prison and a fine of \$250,000.

On May 7, 2001, Liptak was employed as a computer technician by the Office of the Sergeant of Arms of the U.S. Senate ("SAA"). On that date, Liptak was at work at the Postal Square Building, 2 Massachusetts Avenue, N.W., Washington, D.C., when he accidentally printed out a photograph that contained a pornographic image of a naked girl. The photograph was printed on a printer that was shared by other SAA employees. Liptak was caught retrieving the photograph by other SAA employees. Liptak asked the employee not to mention the incident to anyone else. Despite Liptak's request, the employees met with their supervisors the next day and reported the incident. The following day, on May 9, 2001, Liptak's supervisors placed him on administrative leave. Liptak's desktop work computer was secured, and the next day he returned a laptop computer that belonged to the SAA.

Liptak's desktop and laptop computers were turned over to the Federal Bureau of Investigation, which conducted a forensic examination of the two computers. That examination

revealed that during the time he was employed by the SAA, he had surfed pornographic websites, including one called “www.preteen-beauties.com,” from both his desktop and laptop computers. Indeed, the FBI recovered several emails that Liptak sent to different pornographic websites, including “preteen-beauties,” from his Senate email address. By surfing pornographic websites, Liptak knowingly obtained numerous images of prepubescent children engaging in sexually explicit conduct, which were stored on his desktop and laptop computers.

In announcing Liptak’s guilty plea, United States Attorney Kenneth L. Wainstein and Assistant Director Michael A. Mason praised the effort of the investigation team, including lead Agents Jon Moeller and Tiffany Baker; forensic computer experts, Agents Anthony Hissong and Kathleen Kaderabek; and Agent Richard Vorder Bruegge, a forensic audio, video and image analyst. They also gave special thanks to Dr. Barbara Craig, a medical consultant and U.S. Navy Captain, who evaluated the ages of the children in the computer images. Finally, Mr. Wainstein and Mr. Mason praised the work of legal assistants Phaylyn Hunt, Karen Evans, LaTasha Sams, and Cheryl Simms; student law clerks Kimberly Aytes and Ryan Forbes; and Assistant United States Attorneys Barbara Kittay and Frederick Yette, who prosecuted the case.

Omar Holmes, 25, of the 900 block of Euclid Street, N.W., and Guidel Olivares, 44, of the 2100 block of Sherman Avenue, N.W., both in Washington, D.C., pled guilty to being part of the conspiracy of serial bank robbers who terrorized the metropolitan area from January through June of this year, robbing banks with AK-47 and other automatic assault weapons. Their pleas, taken in two separate hearings, were entered in U.S. District Court before the Honorable Colleen Kollar-Kotelly.

The defendants admitted their participation in the conspiracy to commit the following bank robberies: 1. The January 22, 2004, armed robbery of the Bank of America, located at 5911 Blair Road, N.W., in Washington, D.C., in which \$144,000 was taken; 2. The March 5, 2004, armed robbery of the Riggs Bank, located at 7601 Georgia Avenue, N.W., in Washington, D.C., in which \$92,000 was taken; 3. The May 10, 2004, armed robbery of the Chevy Chase Bank, located at 3601 St. Barnabus Road, in Temple Hills, Maryland, in which \$54,000 was taken; 4. The May 27, 2004, armed robbery of the Chevy Chase Bank, located at 5823 Eastern Avenue, in Chillum, Maryland, in which over \$18,000 was taken; 5. The June 12, 2004, armed robbery of the Industrial Bank, located, at 2012 Rhode Island Avenue, N.W., in Washington, D.C., in which over \$30,000 was taken; and 6. The June 29, 2004, armed robbery of the SunTrust Bank, located at 5000 Connecticut Avenue, N.W., in Washington, D.C., in which over \$23,000 was taken. This robbery was captured by a “FOXNews” crew, across the street.

Holmes pleaded guilty to conspiracy to commit the armed bank robberies (a 5-year offense), to one count of armed bank robbery for the March 5, 2004 Riggs Bank robbery, in which he personally participated (a 25-year offense), and to using a semi-automatic assault weapon in furtherance of a federal crime of violence (a life-offense that carries a 10-year mandatory minimum that by law must be consecutive to a prison term imposed for the armed bank robbery).

Olivares pleaded guilty to the conspiracy count only. Olivares, in whose apartment the FBI found the guns, bullet-proof vest, and bank money in a raid on July 16, 2004, did not personally participate in any of the robberies, but he sold two guns to the conspirators, and accepted money to hide the weapons and contraband in his apartment. He will be sentenced on January 31, 2005.

Three defendants have pled guilty in this matter; six defendants remain and await trial.

In announcing the guilty pleas, United States Attorney Kenneth L. Wainstein praised the FBI Bank Robbery Squad, including Special Agents Tom Warter and Paul Timko, and MPD Detectives Manuel Gaffney and Oscar Mouton; and the deputies of the U.S. Marshals Service, who located and apprehended defendant Holmes in Laredo, Texas, as he prepared to elude arrest by fleeing to Mexico. Mr. Wainstein also commended the work of Paralegal Specialist Amber Wetzell and Assistant U.S. Attorneys Barbara E. Kittay and Daniel P. Butler.

James H. Patterson, Jr., 41, of 31st Street, S.E., Washington, D.C., was sentenced today for his felony conviction of mail fraud related to his unsuccessful scheme to defraud Metro. The Honorable Richard J. Leon sentenced Patterson to six months of home detention to be followed by two years of probation during which he must perform 480 hours of community service. On July 20, 2004, Patterson pled guilty to the charge of mail fraud in connection with the incident.

According to the statement of the offense agreed to by Patterson and the government, on June 28, 2003, while Patterson was on duty with his job at Downtown DC BID Services Corporation, a bus operated by the Washington Metropolitan Area Transit Authority (hereinafter "WMATA") came close to striking him, but did not actually strike him, as the bus turned a corner at 10th and F Streets, N.W., Washington, D.C.

Although Patterson knew that the bus did not strike him, he decided to claim that it did. Patterson visited the emergency room and thereafter received treatment from a doctor during July and August 2003 for alleged injuries to his right shoulder and right elbow. Patterson took leave from work because of his alleged injuries. He also obtained the services of two attorneys, one of whom would make a workman's compensation claim against The Hartford, an insurance company for Downtown DC BID Services Corporation, and the other of whom would make a damages claim against WMATA.

One of Patterson's attorneys placed in the United States mail a letter dated August 15, 2003, and addressed to the Office of Workers' Compensation, 64 New York Avenue, N.E., Washington, D.C. 20002, as part of the workman's compensation process. A second attorney of Patterson's placed in the United States mail a letter dated September 2, 2003, and addressed to WMATA, 600 5th Street, N.W., Washington, D.C. 20001, demanding \$50,000 for his alleged injuries.

The government and Patterson agreed that the readily provable, reasonably foreseeable intended loss from Patterson's conduct was between \$30,000 and \$70,000.

A review of the film from the video camera mounted on the outside of the bus which came close to striking Patterson clearly shows that the bus did not strike him.

In announcing the sentence, United States Attorney Kenneth L. Wainstein praised the investigative efforts of the Washington Metropolitan Transit Police, and Special Agents Robert Werner and John Davidson of the Federal Bureau of Investigation. Mr. Wainstein also commended Assistant United States Attorney Thomas E. Zeno, who prosecuted the case.

Linda Watson, 41, a resident of Birmingham, Alabama, pled guilty on October 22, 2004, to perjury relating to false sworn testimony she gave during a Securities and Exchange Commission ("SEC") investigation into allegations of insider trading by her. Watson is scheduled to be sentenced by Judge Reggie B. Walton on January 21, 2005. At sentencing, Watson faces a maximum term of imprisonment of 5 years, a fine of \$250,000 and three years of supervised release.

According to the government's evidence, on August 10, 2000, Linda Watson learned from her brother-in-law, who was a high level executive at Telus Corporation ("Telus"), and his wife that Telus was going to acquire Clearnet Communications, Inc. ("Clearnet"). Watson's relatives told her this information in the context of confiding their anxiety about the acquisition's potential effect on her brother-in-law's job at Telus. Watson's relatives asked Watson to treat the information about the Telus-Clearnet merger as confidential until the merger was publicly announced, and Watson promised to do so. Notwithstanding her promise, on August 11, 2000, Watson purchased 3,300 shares of Clearnet common stock based upon the non-public confidential information she had received from her brother-in-law. Thereafter, on August 16, 2000, Watson opened a margin account and bought an additional 3,300 shares of Clearnet. On August 17, 2000, Watson opened a new securities brokerage account and purchased 20 Clearnet September 30 call options. This was the first time Watson had ever purchased options. On August 18, 2000, Watson bought another 3,400 shares of Clearnet common stock. After Telus publicly announced that it would acquire Clearnet, Watson sold the Clearnet securities she had purchased based upon material, nonpublic information and she realized profits of \$159,193.

In November 2000, the Securities and Exchange Commission was investigating, among other things, whether Watson had violated the securities laws of the United States by engaging in illegal insider trading in connection with her purchases of Clearnet securities. It was material to the SEC's investigation to determine whether Watson had been told prior to August 11, 2000, by her brother-in-law or anyone else that Telus was in negotiations to acquire Clearnet or that Telus was going to acquire Clearnet. On November 15, 2000, Watson appeared at the Offices of the SEC in the District of Columbia to testify under oath in the SEC's investigative proceedings. Despite taking an oath to testify truthfully, Watson falsely testified that no one had told her, prior to her August purchases of Clearnet Securities, that Telus was going to acquire Clearnet.

In announcing the guilty plea, United States Attorney Kenneth L. Wainstein and Inspector in Charge Thomas P. Brady commended United States Postal Inspection Service Inspector Arthur McShane and former Postal Inspector John Horgan for their outstanding work

in investigating the case. They also commended the SEC enforcement attorneys for their skillful questioning of the defendant during her SEC testimony, which was critical to the success of the criminal prosecution. Finally, they praised Assistant United States Attorney Jonathan R. Barr, who investigated and prosecuted this matter, and Legal Assistants April Peeler and Lisa Robinson who assisted in the investigation and prosecution.

Lameko D. Williams, 33, of Glen Burnie, Maryland, was sentenced on October 22, 2004, to a five-year term of probation by United States District Court Judge Gladys Kessler. Judge Kessler ordered that the defendant serve six months of home detention and pay \$51,510.95 in restitution to the Washington Post ("Post"). Williams, a former Washington Post employee, pled guilty in May 2004 to one felony count of Wire Fraud in connection with her theft of \$51,510.03 from the Post.

According to the facts presented at the plea hearing, the Post hired Williams in May 2002 as a Telecharge Credit Specialist. Her job responsibilities included the processing of refunds owed by the Post to customers who had purchased space in its Classified Section. To process the refunds, Williams entered pertinent information into the Post's electronic billing system. As a result, the Post's payable section then issued the requested credit to the customers' accounts by wire.

From in or about May 28, 2002, until on or about January 28, 2003, Williams conducted 32 fraudulent transactions by wire. In each instance, Williams processed a refund request to be payable to a third party credit card which was under her control and which did not correspond with the customer's billing information. As a result of the 32 transactions, the Post wired \$51,510.95 into the accounts which the defendant then received and enjoyed for her personal benefit. The monies were wired from Washington, D.C. to the credit card accounts located in Glen Burnie, Maryland.

In announcing the sentence, United States Attorney Kenneth L. Wainstein, Special Agent in Charge James Burch, and Chief Charles Ramsey commended the outstanding investigative work of United States Secret Service Special Agents Joseph Denahan and James Hitchcock and Metropolitan Police Department Detective Vince Tucci from the Metropolitan Area Fraud Task Force. They also praised Legal Assistant Shavonne Rush, Paralegal Specialist Paula Pagano, and Assistant United States Attorney Jonathan N. Rosen.

Lisa B. Johnson, 41, of the 1700 block of Lyman Place, N.E., a former teller at the DMV office, pled guilty to receipt of bribes by a public official, and Craig C. Hughes, 42, a private individual, of the 1700 block of F Street, N.E., pled guilty to aiding and abetting the receipt of bribes by a public official on October 25, 2004. The defendants pled guilty before United States Magistrate Judge Deborah A. Robinson and will face up to 15 years in prison when sentenced by United States District Judge Colleen Kollar-Kotelly in January 2005, but likely will face 10 to 16 months of imprisonment under the federal sentencing guidelines.

According to the government's proffer of evidence at the time of the plea, with which the defendants agreed, as well as the affidavits in support of the arrest warrants, which were previously unsealed, this matter involves a joint investigation by the investigative arms of the FBI, Inspector General's Office for the District of Columbia, Office of the Chief Financial Officer for the District of Columbia, the Metropolitan Police Department and the United States Attorney's Office. These agencies were investigating the activities of Johnson relative to her employment with DMV. As part of that investigation, they developed information that an individual was acting allegedly as a middleman in deals to illegally sell D.C. driver's licenses in fraudulent names.

The investigators contacted this individual, Hughes, who agreed to get the investigator, acting in an undercover capacity, two licenses for \$3,200 or one for \$1,800. Hughes told the investigator that he would need the name of an actual person, with a matching Social Security Number, to get the licenses. Thereafter, on two separate occasions, undercover agents met with Hughes and gave him money for the transactions. Hughes then met with a second individual to give him some of the money. The second individual escorted the undercover agents into the Georgetown Branch of DMV to meet with Johnson. On the second occasion, before taking the undercover agent into see Johnson, the second individual met with Johnson outside DMV and was seen passing her money at that time. Once inside the DMV Office, Johnson processed the licenses for the undercover agents. Although Johnson did not ask for any verification of the identity of the undercover agents, she did put false information on their applications showing that they had turned in out-of-state licenses, had passed the eye test, and were residents of the District of Columbia. After having paid the standard processing fee for a license, the undercover agents left with the licenses with the fraudulent names on them.

On August 26, 2004, an undercover agent conducted another buy of a driver's license in a fraudulent name, which transaction proceeded in similar fashion to the past occasions. After the undercover agent received the license, all three individuals were arrested. The case involving the third individual is still pending.

In announcing the guilty pleas, United States Attorney Kenneth L. Wainstein, Assistant Director Charles A. Mason, Interim Inspector General Austin A. Andersen, Chief Charles Ramsey, and Chief Financial Officer Dr. Natwar Gandhi praised the hard work of the FBI undercover agents, Special Agent Karen Meunier of the Inspector General's Office, MPD Detective Daniel Straub, and Criminal Investigator Charles Fultz of the Office of the Chief Financial Officer, Office of Integrity and Oversight. They also commended DMV Director Anne Witt, as well as her office, which has been fully cooperative in the investigation of this matter. Finally, they acknowledged the effort of Legal Assistant Teesha Tobias and Assistant U.S. Attorney Daniel P. Butler, who is prosecuting the case.

Adolfo Toledo Medina, second member of the Colombian terrorist group FARC (Revolutionary Armed Forces of Colombia) has been indicted on charges of attempted murder and use of weapons of mass destruction for a November 2003 grenade attack aimed at Americans in Colombia.

The eight-count superseding indictment, returned by a federal grand jury in Washington, D.C., October 27, 2004, charges defendant Adolfo Toledo Medina and a previously indicted defendant, Arturo Montaña Torres, with conspiring in 2003 to murder U.S. nationals who were working in Bogota, Colombia. Count One charges Montaña and Toledo with conspiracy to commit murder of U.S. nationals, in violation of 18 USC Sections 2332(b)(2) and 1111(a). Counts Two through Six charge Montaña and Toledo with attempted murder of U.S. nationals, in violation of 18 USC Section 2332(b)(1). Counts Seven and Eight charge Montaña and Toledo with use of a weapon of mass destruction - a grenade - against U.S. nationals, in violation of 18 USC Sections 2332(a)(1) and (2).

Specifically, the indictment charges Montaña and Toledo with the Nov. 15, 2003 grenade attacks at the Bogota Beer Company and Palos De Moguer - two dining establishments in a popular Bogota entertainment and shopping district known as the Zona Rosa. The grenade blasts killed a Colombian woman and injured 73 others, including five Americans.

Montaña was apprehended immediately after the attack by Colombian police - with the help of a local security guard - and he is currently in Colombian custody. Toledo was arrested on Oct. 15, 2004 by Colombian authorities and is also in Colombian custody.

The superseding indictment alleges that the grenade attacks were in retaliation against Americans for the killing of Teofilo Forrero Mobile Column (TFMC) commander Edgar Gustavo Navaro Morales, a/k/a El Mocho, by the Colombian army in October 2003. The TFMC, of which Montaña and Toledo are allegedly members, is responsible for specialized FARC operations in designated geographical areas of Colombia.

The indictment alleges that Montaña and Toledo, selected by unindicted conspirators in the FARC to travel to Bogota to attack and kill U.S. nationals, were provided grenades, other weapons, money and training in the weeks prior to the attacks on the restaurants in Zona Rosa. The indictment further alleges that Montaña and Toledo and others conducted surveillance on restaurants in the two days prior to the attacks. Montaña and Toledo allegedly threw or caused to be thrown a grenade onto an outdoor table at the Bogota Beer Company, killing Colombian national Paola Martinez and injuring dozens of others, including four Americans, and allegedly threw - or caused to be thrown - a grenade into the dining area of Palos De Moguer, where another American was sitting.

The FARC is an armed and violent organization that has been strongly anti-American since its inception in 1966, and has targeted American citizens who work in, visit or do business in Colombia. The group, which was designated a foreign terrorist organization by the Secretary of State in October 1997 and most recently in October 2003, engages in terrorist activity including murder, hostage taking and violent destruction of property.

The investigation of this case is being conducted by the Federal Bureau of Investigation, working with the U.S. Attorney's Office for the District of Columbia and the Counter terrorism Section of the Criminal Division of the Department of Justice.

Uduma Eni Nmagu, also known as Michael Nmagu, 49, was arrested this morning following his indictment by a federal grand jury on 29 counts of drug distribution and health care fraud. The arrest, which marks the first prosecution in the District of Columbia of a pharmacist for illegally diverting prescription drugs, is part of “Operation Market Crush,” a joint investigation by the FBI, the Metropolitan Police Department, the Department of Health and Human Services, the Drug Enforcement Administration and the District of Columbia Department of Health into the illegal distribution of pharmaceuticals in the area of New York Avenue and North Capitol Streets, N.E., Washington, D.C.

Nmagu was arraigned October 5, 2004, on 29 counts of drug distribution and health care fraud before a U.S. Magistrate Judge and released on his personal recognizance. The case has been assigned to U.S. District Judge James Robertson for trial. If convicted, Nmagu faces a maximum sentence of ten years on the health care fraud count, 18 U.S.C. § 1347, five years on each of the fourteen charges of making false statements in connection with health care matters, five years on each of the seven narcotics distribution charges, 18 U.S.C. §§ 841(a)(1) and (b)(1)(D), and ten years on each of the seven charges for distributing narcotics within 1,000 feet of a school, 18 U.S.C. § 860.

Nmagu is the Chief Pharmacist and President of the Ennis Pharmacy, which is located at 1904 4th Street, N.E., Washington, D.C. The indictment alleges that Nmagu ran a scheme to defraud Medicaid that began by Nmagu attracting customers by illegally dispensing controlled substances either without a prescription or pursuant to prescriptions that were obviously phony. Among the controlled substances that Nmagu allegedly distributed in this manner were Oxycodone and Hydrocodone. Many of Nmagu's recruited customers were beneficiaries of the District of Columbia Medicaid program and, after learning their unique Medicaid numbers, Nmagu then allegedly billed Medicaid for prescriptions that he did not, in fact, dispense. To cite but one example, an undercover FBI officer went to the Ennis Pharmacy on seven occasions posing as a Medicaid beneficiary with a fake Medicaid card. Each time that the undercover officer went to the pharmacy, she received controlled substances either without a prescription or pursuant to a fake prescription. Additionally, Nmagu allegedly billed more than \$4,000 to Medicaid for pharmaceuticals that he did not dispense to the undercover officer. Although the financial loss to Medicaid from Nmagu's scam has not been definitively calculated, the current loss figure, exclusive of any additional evidence of fraud that may be uncovered following a post-arrest search of the pharmacy, exceeds \$100,000.

In connection with Nmagu's arrest, the District of Columbia Department of Health suspended Nmagu's registration as a pharmacist and also his registration to dispense controlled substances.

In announcing the arrest, United States Attorney Kenneth L. Wainstein commended the numerous personnel from the FBI, the Metropolitan Police Department – Major Narcotics Branch (Diversion Unit), HHS, DEA, and the District of Columbia Department of Health who participated in the investigation. He also thanked legal assistant Lisa Robinson and Assistant United States Attorneys Sarah Chasson and Barry Wiegand, who investigated the case and will prosecute the matter at trial.

Daniel J. Williams, Jr., 62, of Accokeek, Maryland, pled guilty to receiving bribes and conspiracy to commit money laundering. Until his retirement on September 1, 2003, Williams was a printing specialist with the United States Postal Service (“USPS”) at USPS Headquarters in Washington, D.C. Williams’s guilty plea was before United States District Judge Henry H. Kennedy, Jr.

Williams admitted to taking bribes over a twelve-year period from printing companies seeking printing contracts with the USPS in return for confidential bid information and preferential treatment from Williams. When sentenced on February 11, 2005, Williams faces up to 35 years in prison and a \$500,000 fine under the statute. Under the federal sentencing guidelines, Williams faces up to between 46 to 57 months in prison.

The Office of the Inspector General for the United States Postal Service (“USPS-OIG”) and the FBI conducted this investigation of the scheme to defraud the USPS by Williams. This joint FBI/USPS-OIG investigation was initiated in August 2003 based on an anonymous hotline complaint received by the USPS in the prior month. The hotline complaint alleged that Williams illegally solicited and received money and gifts from several USPS contractors in return for favorable treatment and contract awards.

The subsequent investigation substantiated the allegations. According to the government’s evidence presented at the plea hearing and agreed to by the defendant, for the twelve-year period leading up to Williams’s retirement, Williams was taking bribes from printing companies. Williams received at least \$771,363 from the printing vendors over the course of this bribery scheme. Moreover, Williams took steps, with his tax preparer, to launder those bribery funds, that is, to hide the fact that Williams was receiving this bribe money by setting up shell companies to receive and disburse the money to Williams.

The criminal Information filed against Williams charges that he received bribes from the vendors (count one) and that he conspired with his tax preparer to launder the bribe money (count two). There are also two forfeiture allegations in the Information calling for forfeiture of Williams’s house, which he paid for with the bribe money, and a residual money forfeiture to cover that amount which cannot be recovered from the sale of other assets belonging to defendant Williams. In the plea agreement, Williams has also agreed to the administrative forfeiture of a Corvette car and a Rolex watch.

This criminal investigation has also resulted in guilty pleas from a number of the printing vendors who were seeking and obtaining printing contracts with the USPS through defendant Williams. For some of these vendors, the payments go as far back as 1991. At least four other individuals have previously pleaded guilty in connection with this investigation. They are: Alphonso Slater, 68, of Capitol Heights, Maryland, who pleaded guilty to paying Williams bribes between 1999 and 2003, while employed as a sales representative of Largo Press; Claire Miller, 43, of Stevenson, Maryland, who pleaded guilty to paying Williams bribes between 1999 and 2003, while employed as a sales representative of U.S. Tag & Label; David McNaughton, 60, of Lancaster, Pennsylvania, who pleaded guilty to paying Williams bribes between 1991 and 2003, while employed as president of Keener Manufacturing Company; and Jeffrey Johnson, 43,

of Glenelg, Maryland, who pleaded guilty to paying Williams illegal gratuities between 1999 and 2003, while employed as a sales representative of Todd Allan Printing. In addition, Johnson also pleaded guilty to obstruction of justice for his role in purposely destroying certain documents that had been the subject of a federal grand jury subpoena.

In announcing the guilty plea, United States Attorney Kenneth L. Wainstein, Inspector General David C. Williams, Inspector in Charge Thomas P. Brady, and Assistant Director in Charge Charles A. Mason commended the diligent, persistent and hard work on this matter by the investigators in this matter, especially Special Agents Brian Cropper and Barry Grzechowiak of the USPS Inspector General's Office, FBI Special Agents Timothy R. Thibault and Debra LaPrevotte, and Postal Inspector Judy Ramos. In addition, they commended the efforts of legal assistants April Peeler and Teesha Tobias and Assistant United States Attorneys Steven J. Durham, Daniel P. Butler, and Linda McKinney, who are prosecuting the case.

U.S. Attorney's Office Web site

The United States Attorney's Office maintains a web site with additional information concerning Office personnel and activities. The web site is: www.DCcommunityprosecution.gov

**The Following Report, Titled “Papered Arrests”
Contains Details on Arrests and Charges Filed
Against Defendants in this District.**

UNITED STATES ATTORNEY'S OFFICE PAPERED COMMUNITY PROSECUTION PAPERED ARRESTS

Criteria Entered; Arrest Date: 10/01/2004 - 10/31/2004, District: 2D, Sort: PSA, Arrest Date

PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
201	10/03/2004 01:24	04136628	SIMPLE ASSAULT C. BARRINGTON WILKINS	COSTEN, DONALD E	M1038804	SC, MISDEMEANOR SECTION 3790 MCKINLEY ST NW
201	10/04/2004 10:00	04137163	SIMPLE ASSAULT	BROWN, GERALD A	M1044104	SC, MISDEMEANOR SECTION 2200 BLK PENNSYLVANIA AV
201	10/05/2004 08:30	04112478	ATTEMPTED ROBBERY TIMOTHY G. LYNCH	PAPPAS, THEODORE	F0622104	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 5540 CT AVE NW
201	10/07/2004 21:20	04138832	UCSA POSS COCAINE YOU J. LEE	WASHINGTON, FRED A	M1056504	SC, MISDEMEANOR SECTION 9TH & BARNABY ST SE
201	10/11/2004 16:00	04140536	SHOPLIFTING STEVEN R. KAUFMAN	KELLY, EUGENE N	M1067604	SC, MISDEMEANOR SECTION 4500 WISCONSIN AVE NW
202	10/02/2004 19:24	04136526	BURGLARY II TIMOTHY G. LYNCH	HAMLETT, FREDDIE E	F0618804	SC, COMMUNITY PROSECUTION/GRAND JURY, COMM. PROS. ASSIGNMENT 4130 ALBEMARLE ST NW
202	10/07/2004 14:25	04138639	SIMPLE ASSAULT DARIA J. ZANE	MORGAN, ANDRE	M1098304	SC, MISDEMEANOR SECTION 5333 WISC AVE NW

**UNITED STATES ATTORNEY'S OFFICE PAPERED COMMUNITY PROSECUTION
PAPERED ARRESTS**

Criteria Entered; Arrest Date: 10/01/2004 - 10/31/2004, District: 2D, Sort: PSA, Arrest Date

PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
202	10/14/2004 15:10	04141937	THEFT 2ND DEGREE VASU B. MUTHYALA	KEFALAS, JAMES C	M1078504	SC, MISDEMEANOR SECTION 5300 WISC AVE NW
202	10/16/2004 18:00	04143020	UCSA DIST. HEROIN TIMOTHY G. LYNCH	BAILEY, INGRID	F0645904	SC, FELONY SECTION 5333 WISC AVE NW
202	10/20/2004 19:00	04144904	THEFT 2ND DEGREE STEVEN R. KAUFMAN	DIAZ, MARIAN Y	M1110404	SC, MISDEMEANOR SECTION 4500 WISCONSIN AVE NW
203	10/24/2004 16:20	04033909	UCSA POSS COCAINE	MCNEIL, JEWEL R	M1126404	SC, MISDEMEANOR SECTION ROCK CREEK PARK GROVE 27
203	10/26/2004 15:03	04147714	THEFT 2ND DEGREE VASU B. MUTHYALA	CLARK, LYNN R	M1124204	SC, MISDEMEANOR SECTION 4301 CONN AVE NW
204	10/14/2004 07:30	04057900	ROBBERY TIMOTHY G. LYNCH	ROGERS, DOMINQUE T	F0638404	SC, FELONY SECTION WISCONSIN AVE & NEWARK S
204	10/14/2004 13:10	04139690	UUA HEATHER R. PHILLIPS	HERNANDEZ, ELGAR A	F0639004	SC, FELONY SECTION CALVERT STREET & CONN AV

UNITED STATES ATTORNEY'S OFFICE PAPERED COMMUNITY PROSECUTION PAPERED ARRESTS

Criteria Entered; Arrest Date: 10/01/2004 - 10/31/2004, District: 2D, Sort: PSA, Arrest Date

PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
204	10/17/2004 03:40	04143269	APO RICHARD S. BASILE	DAHILL, GEOFFREY T	F0644704	SC, FELONY SECTION 3900 BLK WISCONSIN AVE N
205	10/12/2004 17:50		DEST OF PROPERTY MICHAEL K. BAKER	PARKER, CRYSTAL E	M1069004	SC, MISDEMEANOR SECTION 4460 MACARTHUR BLVD NW
206	10/02/2004 03:30		SIMPLE ASSAULT ALESSIO D. EVANGELISTA	FASSNACT, MATTHEW	M1038504	SC, MISDEMEANOR SECTION 1200 WISCONSIN AVE NW
206	10/02/2004 03:50	04136248	SIMPLE ASSAULT ALESSIO D. EVANGELISTA	HAMMER, MICHEAL	M1038404	SC, MISDEMEANOR SECTION 1200 WISCONSIN AVE NW
206	10/09/2004 02:45	04139452	UNLAWFUL ENTRY DENISE A. SIMMONDS	HALL, ANTHONY M	M1061404	SC, MISDEMEANOR SECTION 3218 M ST NW
206	10/12/2004 01:30	04140787	THEFT 2ND DEGREE GARY K. MILLIGAN	ROSS, PAUL I	M1067404	SC, MISDEMEANOR SECTION 1600 WISCONSIN AVE NW
206	10/23/2004 00:25	04146022	SIMPLE ASSAULT	COSSARED, XAVIER P	M1114204	SC, MISDEMEANOR SECTION 1217 34TH ST NW

UNITED STATES ATTORNEY'S OFFICE PAPERED COMMUNITY PROSECUTION PAPERED ARRESTS

Criteria Entered; Arrest Date: 10/01/2004 - 10/31/2004, District: 2D, Sort: PSA, Arrest Date

PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
206	10/23/2004 01:40	04146053	THEFT 2ND DEGREE YOU J. LEE	WILSON, CHARLES W	M1108604	SC, MISDEMEANOR SECTION 3239 M ST NW
206	10/27/2004 05:45	04148011	CARRY PISTOL W/OUT LICENSE-OUTSIDE HOME/BUSIN	BLACKMARR, FRANK R	F0665904	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 1200 WISCONSIN AVE NW
206	10/27/2004 17:40	04148273	THEFT 2ND DEGREE BELINDA V. BELL	TEHRANI, ALI S	M1129204	SC, MISDEMEANOR SECTION 3111 M ST NW
206	10/31/2004 01:46	04150055	SIMPLE ASSAULT	FELVER, MATTHEW T	M1144904	SC, MISDEMEANOR SECTION 3139 M ST NW
207	10/08/2004 12:00	04139039	ADW TIMOTHY G. LYNCH	GANTT, JAMES L	F0629404	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 21ST & VIRGINIA AVE NW
207	10/09/2004 16:00	04139688	DEST OF PROPERTY DARIA J. ZANE	HOWARD, DWAYNE	M1062104	SC, MISDEMEANOR SECTION 2138 PA AVE NW
207	10/28/2004 00:35	04148460	SIMPLE ASSAULT DARIA J. ZANE	SOSCHIN, CHARLES J	M1129904	SC, MISDEMEANOR SECTION 2100 H STREET NW

**UNITED STATES ATTORNEY'S OFFICE PAPERED COMMUNITY PROSECUTION
PAPERED ARRESTS**

Criteria Entered; Arrest Date: 10/01/2004 - 10/31/2004, District: 2D, Sort: PSA, Arrest Date

PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
207	10/28/2004 16:24	04148757	UUA TIMOTHY G. LYNCH	STUART, CHARLES E	F0668704	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 1730 PENN AVE NW